

By: Whitmire, Garcia

S.B. No. 1857

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the exchange of certain information between the  
3 Department of Family and Protective Services or certain foster care  
4 services contractors and a state or local juvenile justice agency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 58.0052, Family Code, is amended by  
7 amending Subsection (a) and adding Subsections (b-1) and (b-2) to  
8 read as follows:

9 (a) In this section:

10 (1) "Juvenile justice agency" has the meaning assigned  
11 by Section 58.101.

12 (2) "Juvenile service provider" has the meaning  
13 assigned by Section 58.0051.

14 (3) [~~(2)~~] "Multi-system youth" means a person who:  
15 (A) is younger than 19 years of age; and  
16 (B) has received services from two or more  
17 juvenile service providers.

18 (4) [~~(3)~~] "Personal health information" means  
19 personally identifiable information regarding a multi-system  
20 youth's physical or mental health or the provision of or payment for  
21 health care services, including case management services, to a  
22 multi-system youth. The term does not include clinical  
23 psychological notes or substance abuse treatment information.

24 (b-1) At the request of a state or local juvenile justice

1 agency, the Department of Family and Protective Services or a  
2 single source continuum contractor who contracts with the  
3 department to provide foster care services shall, not later than  
4 the 14th business day after the date of the request, share with the  
5 juvenile justice agency information in the possession of the  
6 department or contractor that assists the agency in the  
7 continuation of services for or providing services to a  
8 multi-system youth who:

9 (1) is or has been in the temporary or permanent  
10 managing conservatorship of the department;

11 (2) is or was the subject of a family-based safety  
12 services case with the department;

13 (3) has been reported as an alleged victim of abuse or  
14 neglect to the department;

15 (4) is the perpetrator in a case in which the  
16 department investigation concluded that there was a reason to  
17 believe that abuse or neglect occurred; or

18 (5) is a victim in a case in which the department  
19 investigation concluded that there was a reason to believe that  
20 abuse or neglect occurred.

21 (b-2) At the request of the Department of Family and  
22 Protective Services or a single source continuum contractor who  
23 contracts with the department to provide foster care services, a  
24 state or local juvenile justice agency shall share with the  
25 department or contractor information in the possession of the  
26 juvenile justice agency that assists the department or contractor  
27 in the continuation of services for or providing services to a

1 multi-system youth who is or has been in the custody or control of  
2 the juvenile justice agency.

3           SECTION 2. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2017.